

Senate Bill No. 644

CHAPTER 860

An act to amend Sections 71000 and 71003 of the Education Code, relating to community colleges.

[Approved by Governor October 11, 2003. Filed
with Secretary of State October 12, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

SB 644, Burton. Community colleges: Board of Governors of the California Community Colleges.

(1) Existing law establishes the Board of Governors of the California Community Colleges, which consists of 13 members appointed by the Governor with the advice and consent of 2/3 of the membership of the Senate, one voting and one nonvoting community college student appointed by the Governor, and 2 tenured community college faculty members appointed by the Governor.

This bill would revise the membership of the board of governors so that it would include 12 members appointed by the Governor with the advice and consent of 2/3 of the membership of the Senate. The bill would add to the board of governors one classified employee member, who would be appointed by the Governor for a 2-year term. The bill would require the Governor to appoint the classified employee member from a list of at least 3 persons furnished by the exclusive representatives of classified employees of the California Community Colleges.

(2) Existing law requires that any vacancy in an appointed position on the board of governors be filled by an appointment by the Governor, and, except for the student members and faculty members, be confirmed by 2/3 of the membership of the Senate.

This bill would require that a vacancy in the office of the classified employee member be filled by appointment of the Governor without confirmation by the Senate.

(3) This bill would require that the current membership of the board of governors of the California Community Colleges is not to be affected by the addition to the board of a classified employee. The bill would require the Governor to appoint the classified employee member after the first expiration of a term of a general member that occurs after the effective date of the bill.

The people of the State of California do enact as follows:

SECTION 1. Section 71000 of the Education Code is amended to read:

71000. There is in the state government a Board of Governors of the California Community Colleges, consisting of 16 voting members and one nonvoting member, appointed by the Governor, as follows:

(a) Twelve members, each appointed with the advice and consent of two-thirds of the membership of the Senate to six-year staggered terms. Two of these members shall be current or former elected members of local community college district governing boards.

(b) (1) (A) One voting student member, and one nonvoting student member, who exercise their duties in accordance with the procedure set forth in paragraph (3).

(B) These students shall be enrolled in a community college with a minimum of five semester units, or its equivalent, at the time of the appointment and throughout the period of their terms, or until a replacement has been named. A student member shall be enrolled in a community college at least one semester prior to his or her appointment, and shall meet and maintain the minimum standards of scholarship prescribed for community college students.

(C) Each student member shall be appointed from a list of names of at least three persons submitted to the Governor by the California Student Association of Community Colleges.

(2) The term of office of one student member of the board shall commence on July 1 of an even-numbered year, and expire on June 30 two years thereafter. The term of office of the other student member of the board shall commence on July 1 of an odd-numbered year, and expire on June 30 two years thereafter. Notwithstanding paragraph (1), a student member who graduates from his or her college on or after January 1 of the second year of his or her term of office may serve the remainder of the term.

(3) During the first year of a student member's term, a student member shall be a member of the board and may attend all meetings of the board and its committees. At these meetings, a student member may fully participate in discussion and debate, but may not vote. During the second year of a student member's term, a student member may exercise the same right to attend meetings of the board, and its committees, and shall have the same right to vote as the members appointed pursuant to subdivisions (a) and (c).

(4) Notwithstanding paragraph (3), if a student member resigns from office or a vacancy is otherwise created in that office during the second year of a student member's term, the remaining student member shall



immediately assume the office created by the vacancy and all of the participation privileges of the second-year student member, including the right to vote, for the remainder of that term of office.

(c) Two voting tenured faculty members from a community college, who shall be appointed for two-year terms. The Governor shall appoint each faculty member from a list of names of at least three persons furnished by the Academic Senate of the California Community Colleges. Each seat designated as a tenured faculty member seat shall be filled by a tenured faculty member from a community college pursuant to this section and Section 71003.

(d) One voting classified employee, who shall be appointed by the Governor for a two-year term. The Governor shall appoint the classified employee member from a list of at least three persons furnished by the exclusive representatives of classified employees of the California Community Colleges.

SEC. 2. Section 71003 of the Education Code is amended to read:

71003. (a) Except for the student members, the faculty members, and the classified employee member appointed by the Governor, any vacancy in an appointed position on the board shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the membership of the Senate. A vacancy in the office of a student member, a faculty member, or the classified employee member shall be filled by appointment by the Governor.

(b) The appointee to fill a vacancy shall hold office only for the balance of the unexpired term.

SEC. 3. The current membership of the Board of Governors of the California Community Colleges shall not be affected by the amendment to Section 71000 of the Education Code made by the act adding this section. The Governor shall appoint the member specified in subdivision (d) of Section 71000 of the Education Code after the first expiration of the term of a member specified in subdivision (a) of Section 71000, other than a member who is a current or former member of a local community college district governing board, that occurs after the effective date of the act adding this section.

